

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Reexamination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

A review of the Office Action reveals that claim 2 has neither been rejected nor allowed. A clarification of the status of this claim in a further non-final office action is, should this response not place the application in condition for allowance, respectfully requested.

In this response, the claims have been amended to clarify the claimed subject matter and in a manner which overcomes both the anticipation and obviousness rejections. More specifically, claims 1 and 6 (which now stands in independent form), have been amended to recite a transparent light transmissive element which is interposed between the light source and the light projecting lens. It is submitted that neither of Hass et al. nor Vezzalini et al. disclose such an element. It is also submitted that neither reference discloses or suggests rendering at least one of the light source, lens or the transparent light transmissive element movable with respect to the others.

Apart from overcoming the anticipation rejections under 35 USC § 102(b) to either of Hass et al. or Vezzalini et al., these amendments also render moot the obviousness rejections under 35 USC § 103(a) based on the disclosure of Vezzalini et al. as would be understood by the hypothetical person of ordinary skill after considering the disclosure of the reference as a whole.

These amendments also render both the independent claims 1 and 6, readable at least on the embodiments of the light beam adjusting arrangement depicted in Figs. 1 – 5 of the instant application.

Claim 6, as amended, is such as to call for a selectively interchangeable option unit, capable of being mounted in a selectively mountable/demountable manner at the front surface of the sensor head case, and holding a light beam changing lens at a position aligned with the light projecting window by way of a lens holder (which is recited

in a manner which makes it clear that it is separate from and mountable on the sensor head case). Vezzalini et al. fails to disclose any such structure.

Support for this amendment is found in at least paragraphs [0027], [0045], Figs 15A and 15B, and paragraph [0098].

Indeed, as will be noted, Vezzalini et al. is such as to show the transmission lens 7 seated snugly in the mouth of the optical transmission chamber 5 (c.f. claimed sensor head case), in the clear absence of any selectively removable support structure (c.f. claimed interchangeable lens holder) which would allow the claimed interchangeability. Without any disclosure to the contrary, it is submitted that it is self-evident that the lens is immovably fixed in position especially in light of the movement that occurs in embodiment which is shown in Fig. 4.

Inasmuch as claims 3 and 4 were indicated as containing allowable subject matter, claim 3 has been rewritten to assume independent form. Claim 4, which depends from claim 3, has been amended to improve syntax and form.

New claims 10-16 are added in this response. These claims depend from claim 1 and are such as to recite structure which is neither disclosed nor suggested by the art of record. Support for these claims can be found in at least Figs. 1 – 5 and paragraphs [0062] and [0064] – [0081].

It is respectfully submitted that the claims as they stand before the Patent and Trademark Office are allowable over the art of record. Favorable reconsideration and allowance of this application are courteously solicited.

Respectfully submitted,

By



William T. Ellis
Registration No. 26,874

Keith J. Townsend
Registration No. 40,358

Date 05/23/2005

FOLEY & LARDNER LLP
Customer Number: 22428
PATENT TRADEMARK OFFICE
Telephone: (202) 672-5485
Facsimile: (202) 672-5399